



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, बुधवार, 22 फरवरी, 2012/3 फाल्गुन 1933

हिमाचल प्रदेश सरकार

**FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS, KINNAUR AT RECKONG PEO,
HIMACHAL PRADESH**

NOTIFICATION

Kinnaur, 14th February, 2012

No. FDS-KNR(S)12-1/82-VI-4436-4467.—In Continuation of this office Notification No. FDS-KNR/Supply-4010-40 dated 5th January, 2012 which published in Extra Ordinary Rajpatra on Dated 12th January, 2012 and in exercise of the powers conferred upon me under Clause 3(i) (e) of the HP Hoarding and Profiteering Prevention Order, 1977, I, Sanjay Sharma, District Magistrate, Kinnaur at Reckong Peo, do hereby order that the rates so fixed *vide* notification under reference shall continue to remain in force for a further period of two months from the date of its publication in the Official Gazette.

Sd/-
SANJAY SHARMA,
*District Magistrate,
Kinnaur at Reckong Peo.*

राजस्व विभाग

अधिसूचना

शिमला-2, 18 फरवरी, 2012

संख्या रैव डी (जी) 9-4/2008.—हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश ग्राम शामलात भूमि निधान और उपयोग अधिनियम, 1974 (1974 का 18) की धारा 13 और हिमाचल प्रदेश भू-जोत अधिकतम सीमा अधिनियम, 1972 (1973 का 19) की धारा 26 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियमों के प्रायोजनों को कार्यान्वित करने के लिए हिमाचल प्रदेश पट्टा नियम 2011 में संशोधन का प्रस्ताव करती है, जिन्हें, हिमाचल प्रदेश ग्राम शामलात भूमि निधान और उपयोग अधिनियम, 1974 की धारा 13 की उप धारा (3) और हिमाचल प्रदेश भू-जोत अधिकतम सीमा अधिनियम, 1972 की धारा 26 की उप धारा (2) के अधीन यथा अपेक्षित के अनुसार जन साधारण की जानकारी हेतु राजपत्र हिमाचल प्रदेश में एतद्द्वारा प्रकाशित किया जाता है।

इन नियमों से सम्भाव्य प्रभावित कोई व्यक्ति, यदि इन नियमों की बाबत कोई आपेक्ष (पों) या सुझाव देना चाहे तो वह उसे (उन्हें) इन प्रारूप नियमों के राजपत्र, हिमाचल प्रदेश में प्रकाशन की तारीख से पन्द्रह दिनों की अवधि के भीतर, प्रधान सचिव (राजस्व) हिमाचल प्रदेश सरकार शिमला-2 को भेज सकेगा;

उपयुक्त विनिर्दिष्ट अवधि के भीतर प्राप्त आपेक्षों (पों) या सुझाव (वों), यदि कोई हो (हों), पर इन नियमों को अन्तिम रूप देने से पूर्व राज्य सरकार द्वारा विचार किया जाएगा, अर्थात् :-

नियम-1 का संशोधन, संक्षिप्त नाम और विस्तार.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश पट्टा (संशोधन) नियम, 2011 है।

(2) इन नियमों का विस्तार सम्पूर्ण हिमाचल प्रदेश राज्य पर होगा।

(3) यह नियम हि0 प्र0 पट्टा नियम 1993 के लागू होने से पूर्व पट्टे पद दी गई भूमि के नियमितकरण और नवीनीकरण के लिए भी लागू होंगे।

नियम 8 का संशोधन.—हिमाचल प्रदेश पट्टा नियम 2011 में (इसके पश्चात्) जैसा कि “उक्त नियमों” के नियम 8 के प्रावधानों के विपरीत निम्नलिखित प्रतिस्थापन किये जाएंगे, अर्थात् :-

8 पट्टा राशि:— नये पट्टे के लिए या विद्यमान पट्टे के नवीनीकरण के लिए पट्टा राशि पट्टेदार से प्रतिवर्ष निम्नलिखित रीति में प्रभारित की जाएगी, अर्थात् :-

(1) चालीस वर्ष की छूट की अवधि के साथ उपस्थिति विशिष्ट अवसंरचना परियोजनाएं जैसा कि जलविद्युत परियोजनाएं, आकाशी रज्जुमार्गों, बस अड्डे पार्किंग लाट, मार्ग स्थल सुख सुविधा, चूना पत्थर/अन्य खुदान इत्यादि जिसके लिए पट्टे पर दी गई भूमि के न्यूनतम बाजार मूल्य का 3.5 प्रतिशत (साढ़े तीन प्रतिशत) की दर से या पांच वर्ष का औसत बाजार मूल्य का दोगुना जो भी कम हो, प्रभारित किया जाएगा के सिवाय, पट्टे पर दी गई भूमि के नवीनतम अधिकतम बाजार मूल्य का 5 प्रतिशत या पांच वर्ष के औसत बाजार मूल्य का दोगुना जो भी कम हो।

(2) पट्टा राशि प्रत्येक पांच वर्ष में विद्यमान पट्टा राशि का 10 प्रतिशत या भूमि के चालू मूल्य पर प्रकृतिपत पट्टा मूल्य, जो भी कम हो से बढ़ाई जाए।

- (3) ऐसे सभी मामलों में जहां पर प्रारम्भिक पट्टा राशि एक मुश्त फीस के रूप में ली गई थी, में नवीनीकरण पर पट्टा राशि यह मानकर निर्धारित की जाएगी कि हिमाचल पट्टा नियम 2011 वास्तविक पट्टा अभिलेख हस्ताक्षरित की तिथि को भी प्रभावित है वास्तव में भूमि की एक साला/पांच साला औसत के आधार पर निर्धारित दर जो कि हर पाँच साल बाद पुनर निर्धारित करने के बाद आज तक दिये राशि भी इन नियमों के तहत पुनर्निर्धारित किये जा सकते हैं। ऐसे मामलों में जहाँ कि पट्टा राशि वार्षिक आधार पर थी में नवीनीकरण के पश्चात् पट्टा राशि उपरोक्त निर्धारित पट्टा राशि के आधार पर तय होगी या पहले ही लागू पट्टा राशि में से जो भी अधिक हो के आधार पर निर्धारित की जाएगी ओर इन नियमों के तहत यह राशि प्रत्येक पाँच वर्षों के पश्चात पुनर्निर्धारित की जाएगी।
- (4) अपयोजित वन भूमि की पट्टा राशि उस समय की जमीन के नवीनतम मूल्य के आधार पर तय की जाएगी जिस समय सम्बन्धित पक्ष को अपयोजन/हस्तांतरण करने की अनुमति दी गई है तथा पट्टा राशि की संगणना उसी समय से की जाएगी।

परन्तु जहां भूमि विशिष्ट विभाग के नाम हो और किसी प्रायोजन के लिए पट्टे पर अंतरित की जानी उपेक्षित हो तो वह विभाग, जैसे वह उचित समझे, पट्टा राशि कम कर सकेगा।

नियम 18 का संशोधन.—उक्त नियमों, के नियम 18 के प्रावधानों के विपरीत निम्नलिखित प्रतिस्थापन किये जाएंगे, अर्थात:—

18 पट्टे के अवसान पर प्रक्रिया.— जहां सरकार ने पट्टे को फिर से चालू करने का अपना विकल्पन किया हो,—

- (1) (क) पट्टाधारी, सम्बद्ध उपायुक्त को, पट्टा अवधि के अवसान की तारीख से तीन मास पूर्व विस्तारण/नवीनीकरण की अवधि को विनिर्दिष्ट करके पट्टे की पट्टा अवधि विस्तारण/नवीनीकरण के लिए आवेदन कर सकेगा। उपायुक्त ऐसे आवेदन की प्रप्ति पर इन नियमों के नियम-11 (3) (क) के अधीन अपेक्षित उद्घोषणा, जिसमें यह वर्णित किया गया हो कि पट्टाधारी ने पट्टा अवधि के विस्तारण के लिए आवेदन किया है, सम्बद्ध उप-मण्डलाधिकारी (ना0) के माध्यम से जारी करवाएगा। उप-मण्डलाधिकारी (ना0) अपेक्षाओं की सुनवाई करेगा तथा उनका विनिश्चय करेगा और अनापत्ति प्रमाण-पत्र जारी करेगा।
- (ख) उपायुक्त उप मण्डलाधिकारी (ना0) द्वारा अनापत्ति प्रमाणपत्र और सम्बद्ध विभाग का अनिवार्यता प्रमाण पत्र जारी करने के पश्चात, मामले को अपनी सिफारिशों सहित सक्षम प्राधिकारी को भेजेगा :
- परन्तु उप-मण्डलाधिकारी (ना0) से अनापत्ति प्रमाण पत्र और अनिवार्यता प्रमाण पत्र की शर्तें लागू नहीं होंगी जहां पट्टा अस्थाई शैड, आवासीय और कृषि प्रयोजन के लिए प्रदान किया गया है।
- (ग) हिमाचल प्रदेश पट्टा नियम 1993 के लागू होने से पूर्व प्रदान किए गए पट्टे भी इन नियमों के अधीन उपरोक्त रीति में नवीकृत होंगे।

आदेश द्वारा,
हस्ताक्षरित/—
वित्तायुक्त एवं सचिव (राजस्व)।

REVENUE DEPARTMENT**NOTIFICATION**

Shimla-2, the 18th February, 2012

No. Rev. D (G)9-4/2009.—In exercise of the powers conferred by section 13 of the Himachal Pradesh Village Common Lands Vesting and Utilization Act 1974 (Act 18 of 1974) and section 26 of the Himachal Pradesh Ceiling on land Holdings Act, 1972 (Act No.19 of 1973), the Governor of Himachal Pradesh proposes to make the following amendments in Himachal Pradesh Lease Rules, 2011 and the same are being published in Rajpatra Himachal Pradesh (Ordinary) for general information of the public as required under sub-section (3) of section 13 of the Himachal Pradesh Village Common Lands Vesting and Utilization Act, 1974 and sub-section (2) or section 26 of the Himachal Pradesh Ceiling on Land Holdings Act, 1972.

If any person likely to be affected by these rules has any objection (s) or suggestion(s) to make in respect of these rules, he may send the same to the Pr. Secretary (Revenue) to the Government of Himachal Pradesh Shimla within 15 days from the date of publication of these draft rules in the Rajpatra, Himachal Pradesh.

Objection(s) or suggestion(s), if any, received within the period specified above, shall be considered by the State Government before finalizing these rules, namely:-

1. Amendment in rule 1, Short Title and extent.—(1) These rules may be called the Himachal Pradesh Lease (Amendment) Rules, 2012.

(2) They shall extend to whole of the State of Himachal Pradesh These rules shall come into force from the date of their publication in Rajpatra Himachal Pradesh.

(3) These rules shall also be applicable for the regularization and renewal of all leases granted prior to the application of H.P Lease Rules 1993 and Lease Rules 2011.

Amendment in rule 8.—In the Himachal Pradesh lease rules 2011 (hereinafter) referred to as the 'said rules, for the provisions against rule 8, the following shall be substituted, namely :-

“8 Lease amount: The lease amount for a fresh lease or renewal of existing lease shall be charged from the lessee per annum in the following manner, namely:-

- (1) 5% of the latest highest market value of the land leased or double the average market value of five years, whichever is less except for location specific infrastructure projects with a concession period of upto 40 years (such as Hydroelectric projects, aerial ropeways, bus stands, parking lots, wayside amenities, limestone/other mining, etc) which shall be charged lease amount @ 3.5% of the latest market value of the land leased or double the average market value of five years, whichever is less.
- (2) The lease amount shall be increased every 5 years by 10 % of existing lease amount or lease value calculated on current value of the land whichever is less.
- (3) In all cases where the original lease amount was a one time fee, annual lease money on renewal may be calculated assuming the Himachal Pradesh Lease Rules 2011 were applicable on the date of execution of the original lease deed. In effect, the rate arrived at based on the applicable percentage of one year/five year average as revised after every five years till the present day,

will be further subject to revision as per these Rules. In such cases where lease amount was an annual payment, the new lease amount will be the lease rent as calculated above or the pre existing lease amount whichever is higher and this lease amount shall be subject to revision every five years as per these rules.

- (4) The lease amount in case of diverted forest land shall be calculated under Sub-Rule (3) as above on the basis of current market value at the time diversion/ transfer of land was allowed to the interested party and lease rent shall be computed from that date.

Provided that where land is in the name of specific department of government is sought to be transferred on lease for any purpose that department may reduce the lease amount as it deems appropriate.”

Ammendment in rule 18.—In the said rules, for rule 18 the following shall be substituted namely :-

“18 Procedure on expiry of lease:-

Where government does not exercise its option of resumption,

- (1) (a) Lessee may apply to the concerned Deputy Commissioner for extension of lease period/renewal of lease specifying period of extension/ renewal three months before the date of expiry of lease term. The Deputy Commissioner on the receipt of such application shall cause to be issued through the concerned Sub Divisional Officer(Civil) proclamation required under rule 11(3) (a) of these rules stating therein that the lessee has applied for the extension of the lease period. The Sub Divisional Officer (c) shall hear and decide the objections and issue no Objection certificate.
- (b) The Deputy Commissioner shall after issue of No Objection Certificate by the Sub-Divisional -Officer (Civil) and Essentiality Certificate of the concerned Department send the case to the competent authority with his recommendations:

Provided that the conditions of No Objection Certificate from Sub Divisional Officer (Civil) and Essentiality Certificate shall not apply where the lease has been granted for temporary shed, residential and agriculture purposes.

- (c) The leases granted prior to implementation of the Himachal Pradesh Lease Rules 1993 shall also be renewed under these rules in the above manner”.

By order,
Sd/-

F.C.-cum-Secretary (Revenue).

HIGH COURT OF HIMACHAL PRADESH AT SHIMLA-171001**NOTIFICATION***Shimla, the 14th February, 2012*

No. HHC/Admn. 6 (23)/74 -XIII.—Hon'ble the Chief Justice in exercise of the powers vested in him under Rule 2(32) of Chapter 1 of H. P. Financial Rules, 2009, has been pleased to declare Sh. R.K. Sharma, Presiding Officer, Fast Track Court, Una as Drawing and Disbursing Officer in respect of the Court of Additional District and Sessions Judge, Una and also the Controlling Officer for the purpose of T.A. etc. in respect of establishment attached to the aforesaid Court under head "2014-Administration of Justice" with immediate effect till the posting of new Presiding Officer there.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171001**NOTIFICATION***Shimla, the 16th February, 2012*

No.HHC/Admn.6 (23)/74-XIV.—Hon'ble the Chief Justice in exercise of the powers vested in him under Rule 2(32) of Chapter 1 of H.P. Financial Rules, 2009 has been pleased to declare the Civil Judge (Jr. Division)-cum-JMIC (II), Ghumarwin as Drawing and Disbursing Officer in respect of the Court of Civil Judge (Jr. Division)-cum-JMIC (III), Ghumarwin and also the Controlling Officer for the purpose of T.A. etc. in respect of the establishment attached to the aforesaid Court under head "2014-Administration of Justice" during the leave period of Sh. Abhay Mandiyal, Civil Judge (Junior Division)-cum-JMIC (III), Ghumarwin, H.P. w.e.f. 21.2.2012 to 6.3.2012 with permission to prefix Sunday and Gazetted holiday falling on 19.2.2012 and 20.2.2012 respectively, or till he returns from leave.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171001**NOTIFICATION***Shimla, the 16th February, 2012*

No.HHC/GAZ/14-262/2003.—Hon'ble the Chief Justice has been pleased to grant 15 days' paternity leave w.e.f. 21.2.2012 to 6.3.2012 with permission to prefix Sunday and Gazetted holiday falling on 19.2.2012 and 20.2.2012 respectively in favour of Sh. Abhay Mandiyal, Civil Judge (Junior Division)-cum-JMIC (III), Ghumarwin, H.P.

Certified that Sh. Abhay Mandiyal is likely to join the same post and at the same station from where he proceeds on leave, after expiry of the above period of leave.

Also certified that Sh. Abhay Mandiyal would have continued to hold the post of Civil Judge (Junior Division)-cum-JMIC (III), Ghumarwin, H.P. but for his proceeding on leave for the above period.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171001

NOTIFICATION

Shimla, the 16th February, 2012

No.HHC/GAZ/14-279/2004.—Hon'ble the Chief Justice has been pleased to grant ex post facto sanction of 9 days' earned leave w.e.f. 16.1.2012 to 24.1.2012 with permission to prefix second Saturday and Sunday fell on 14th and 15th January, 2012 and suffix Gazetted holidays fell on 25th and 26th January, 2012 in favour of Sh. Anil Kumar, Civil Judge (Junior Division)-cum-JMIC, Bilaspur, H. P.

Certified that Sh. Anil Kumar had joined the same post and at the same station from where he had proceeded on leave, after expiry of the above period of leave.

Also certified that Sh. Anil Kumar would have continued to hold the post of Civil Judge (Junior Division)-cum-JMIC, Bilaspur, H. P. but for his proceeding on leave for the above period.

By order,
Sd/-
Registrar General.

In the Court of Sub-Divisional Officer (Civil)-cum-Collector, Sub-Division Nichar at Bhawa Nagar, District Kinnaur (H. P.)

Case No. 08/11.

Shri Bhim Singh s/o Late Shri Padam Sain, resident of Village Poonang, Tehsil Nichar, District Kinnaur (HP) . . Applicant.

Versus

State of H.P. through Collector, Kinnaur district at Reckong-Peo . . Respondent.

1. Shri Ram Lachh, 2. Shri Radha Krishan, 3. Shri Govind Singh ss/o Late Shri Padam Sain, Village Poonang, Tehsil Nichar, District Kinnaur (H.P.) . . Proforma Respondents.

Appeal under section 14 of H. P. Land Revenue Act, 1954 against the order of ejectment passed by the Ld. Assistant Collector, Nichar from the alleged Govt. land comprised in Khasra No.

162, 270 & 309, Kitta 3, Area measuring 0-13-28 Hect. situated in Up-muhal Poonang, Tehsil Nichar, District Kinnaur (H.P.) *vide* case No. 1/2011 decided on 2nd Nov. 2011 with a prayer to setting aside the impugned order being against the law, rules, arbitrary, perverse and not sustainable in the eyes of law.

Notice to : Shri Radha Krishan s/o Shri Padam Sain, Proforma Respondent.

Whereas in the above noted case, Appellant Shri Bhim Singh s/o Late Shri Padam Sain, resident of Village Poonang, Tehsil Nichar, District Kinnaur (HP) has filed an appeal under section 14 of Himachal Pradesh Land Revenue Act, 1954 against the order of ejectment passed by the Ld. Assistant Collector, Nichar from the alleged Govt. land comprised in Khasra No. 162, 270 & 309 Kitta 3, Area measuring 0-13-28 Hect. situated in Up-muhal Poonang, Tehsil Nichar, District Kinnaur (H.P.) *vide* case No. 1/2011 decided on 2nd Nov. 2011 with a prayer to setting aside the impugned order being against the law, rules, arbitrary, perverse and not sustainable in the eyes of law. That Shri Radha Krishan s/o Late Shri Padam Sain, resident of Village Poonang, Tehsil Nichar, District Kinnaur, proforma respondent is not available at home and as per report of Pradhan, Gram Panchayat Poonang, Shri Radha Krishan is missing for the last many years and his whereabouts is not known, letter sent to him was returned four times with the remarks that the addressee is not at home. Due to this, he could not be served the application/letter in normal procedure of service.

Whereas in the above noted case, it has been proved to the satisfaction of the Court that Shri Radha Krishan s/o Shri Padam Sain cannot be served in the ordinary way. Hence this proclamation is hereby issued against him to appear in this Court on 16th March, 2012 to defend the case personally or through pleader failing which *ex parte* decision will be taken.

Given under my signature and seal of the Court this 31st day of January, 2012.

Seal.

Sd/-

*Sub-Divisional Officer (Civil)-cum-Collector,
Sub Division Nichar at Bhawa Nagar, District Kinnaur (H. P.).*

In the court of Shri Balbir Thakur (HAS), Special Marriage Officer-cum-Sub Divisional Magistrate, Manali, District Kullu (H. P.)

In the matter of :

Dinesh Krofa s/o Shri Balbir Singh Krofa, LPS Manali, Tehsil Manali, District Kullu (H.P.)

Sunita d/o Shri Lal Chand, r/o Village Raping, P.O. Jhalman, Tehsil Spiti, District L & S at present LPS Manali, Tehsil Manali, District Kullu (H.P.) . . *Applicants.*

Versus

General public

An Application for registration of marriage under Special Marriage Act, 1954.

Whereas Dinesh Krofa s/o Shri Balbir Singh Krofa, LPS Manali, Tehsil Manali, District Kullu (H.P.) and Sunita d/o Shri Lal Chand, r/o Village Raping, P.O. Jhalman, Tehsil Spiti, District L & S at present LPS Manali, Tehsil Manali, District Kullu (H.P.) has presented an application on

10-2-2012 in this court for the registration of marriage under Special Marriage Act, 1954. Hence this proclamation is hereby issued for the information of general public that if any person has any objection for the registration of the above marriage can appear in this court on 9-3-2012 at Manali to object registration of above marriage personally or through an authorized agent failing which this marriage will be registered under this Act, 1954 accordingly.

Given under my hand and seal of the court on 10th day of February, 2012.

Seal.

BALBIR THAKUR (HAS),
Special Marriage Officer-cum-Sub Divisional Magistrate,
Manali, District Kullu (H. P.).

PRINTING AND STATIONERY DEPARTMENT

OFFICE ORDER

Shimla-2 15th February, 2012

No. Mudran (B)10-1/2010-II.—Whereas, following 27 posts of different categories pertain to letter Press obsolete technology:-

Sr. No.	Name of the Post	Class	Total Sanctioned Strength.	No. of posts to be abolished.
1.	Galley Proof Press Man	III	3	3
2.	Distributor	III	6	6
3.	Type Supplier	III	4	4
4.	Impositor	III	2	2
5.	Makeup Man	III	3	3
6.	Typists Electronic Typewriter	III	1	1
7.	Metal Melter	IV	1	1
8.	Mono Attendant	IV	1	1
9.	Forme Carrier	IV	4	4
10.	Forme Washer	IV	2	2
	Total	..	27	27

Whereas said posts are lying vacant in the Printing and Stationery Department and are not required in future .

In the given circumstances, in consultation with Finance Department, it is decided to abolish the above 27 posts.

This issue with the prior concurrence of the Finance Department obtained vide their U.O. No: 5194817/Fin-E-2012 Dated 9-2-2012 .

By order,
Sd/-
Pr. Secretary (P&S).

